

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
CHARLOTTESVILLE DIVISION

CLERK'S OFFICE U.S. DIST. COURT  
AT LYNCHBURG, VA  
FILED  
OCT 24 2007  
For C'ville  
JOHN F. CORCORAN, CLERK  
BY: J. Farabee  
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COLETTE GENTRY,

*Plaintiff,*

v.

MICHAEL J. ASTRUE, COMMISSIONER OF  
SOCIAL SECURITY

*Defendant.*

CIVIL No. 3:07cv00009

ORDER

JUDGE NORMAN K. MOON

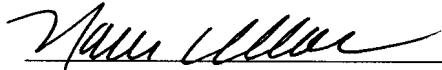
On March 29, 2007, I referred this case to the Honorable B. Waugh Crigler, United States Magistrate Judge, for proposed findings of fact and a recommended disposition. The parties subsequently filed cross motions for summary judgment and on October 4, 2007, the Magistrate Judge filed a Report and Recommendation ("Report"). In the Report, Judge Crigler recommended that I grant Plaintiff's motion for summary judgment to the extent it seeks remand, deny the Commissioner's motion for summary judgment, and remand the case for further proceedings. After a review of the record in this case, and no objection having been filed to the Report within ten days of its service upon the parties, I adopt the Report in its entirety.

Accordingly:

1. the October 4, 2007 Report is hereby ADOPTED in its entirety;
2. Plaintiff's Motion for Summary Judgment is GRANTED to the extent it seeks remand;
3. Defendant's Motion for Summary Judgment is DENIED;
4. the case is hereby REMANDED to the Commissioner for further proceedings.

It is so ORDERED.

The Clerk of the Court is hereby directed to send a certified copy of this Order to all  
counsel of record.

ENTERED:   
United States District Judge  
October 24, 2007  
Date